

MICHIGAN SUPREME COURT



Office of Public Information

contact: Marcia McBrien | (313) 972-3219 or (517) 373-0129

FOR IMMEDIATE RELEASE

MAKE FINDING ABSENT KIDS ‘HIGHEST PRIORITY,’ STATE JUDGES TOLD

LANSING, MI, October 31, 2002 – Chief judges of a number of Michigan’s circuit courts have been instructed to set up special dockets to find children who are absent from their legal placements, the Michigan Supreme Court announced today.

In an October 31 letter, State Court Administrator John D. Ferry Jr. noted that “a number of children who are under the jurisdiction of the family division of the circuit court are absent without legal permission.” The State Court Administrative Office is the administrative agency of the Michigan Supreme Court.

“Locating these children must be of the highest priority,” Ferry stated. His letter went to judges in counties where absent children are listed as having resided.

The absent children have run away or been illegally removed from a legal placement. The person who abducts a child from a legal placement is often a family member, Ferry stated in the letter.

The circuit court’s family division has jurisdiction over cases of child abuse and neglect. Children who have run away or been taken from legal placements are under the court’s jurisdiction.

With the letter, Ferry included a list, generated by the Family Independence Agency, of children who are absent without legal permission.

Ferry called for each chief judge to:

- designate a judge who will be responsible for absent children cases;
- review the FIA list to see if the chief judge’s court has jurisdiction over any of the absent children;
- contact the county FIA office to coordinate efforts to find the children;
- develop a plan for reviewing cases of absent children, including “a special docket or other expedited hearing process”; and

- schedule case reviews, including gathering information about the children's whereabouts.

"Priority should be given to cases involving children who are 15 years old and younger," Ferry added. He said that special attention should be given to cases of younger children who may have been abducted.

Ferry gave the chief judges a deadline of November 11 to report on their progress. The judges' reports will be shared with Chief Justice Maura D. Corrigan, who "has indicated that chief judges must make it a priority to assist in locating these children and to assure a safe and appropriate placement or other disposition," Ferry stated.

Ferry noted that a special docket, presided over by Judge Michael M. Hathaway, is already in place in Wayne County Circuit Court's family division.

Hathaway explained that he has been holding emergency hearings since October 14 to find absent children who are 12 years old and younger.

"Eight of the nine children in that age group have been located, and they are safe and sound. We have a good lead on the ninth," the judge reported. Hathaway said he has now begun holding three to four hearings per day to locate absent children aged 13 to 15.

Wayne County's special docket is the outgrowth of a state-wide work group created several weeks ago by Chief Justice Corrigan and Family Independence Agency Director Douglas Howard. Corrigan has said that the Wayne County docket "will help create the pattern for the way these cases are handled across Michigan."

The work group, of which Hathaway is a member, also includes Howard, FIA Deputy Director Mark Jasonowicz, FIA Legislative Liaison Bill Kordenbrock, FIA Outstate Operations Director Jim Nye, Wayne County Zone Manager Margaret Warner, William Newhouse, Assistant Director of Trial Court Services for the State Court Administrative Office, and Bay County Probate Chief Judge Karen A. Tighe. Tighe is also presiding judge of Bay County Circuit Court's family division.

Absent children are featured on the FIA Child Locator web site at www.michigan.gov/fia. Anyone with information about a child featured on the web site can call the toll-free Tip Line at 1-866-729-0026.

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